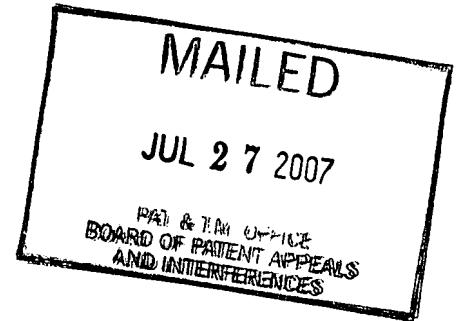


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PETER M. BONUTTI

Application No. 10/743,192



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on July 21, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

An Information Disclosure Statement (IDS) was filed on February 18, 2005 and March 24, 2005. A review of the Image File Wrapper reveals that the examiner has not considered the IDSs. According to MPEP § 609 which states:

“. . . . The Examiner must also fill in his or her name and the date the information was considered in blocks at the bottom of the PTO-1449 or PTO/SB/08A and 08B form.”

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for consideration of the IDSs; and,
- 2) for further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: Patrick J. Nolan
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

PJN/dal

Cc: KIMBERLY V. PERRY, ESQ.
U.S. SURGICAL
A DIVISION OF TYCO HEALTHCARE GROUP, LP
150 GLOVER AVE.
NORWALK, CT 06856